

# Santa Rosa County Sheriff's Office



Santa Rosa County Sheriff's Office

Sheriff Wendell Hall

## CITIZEN COMPLAINT REPORT

Nature of Complaint: Raid w/o Warrant Date of Incident: 3/10/13

Location of Incident: 2233 Ortega St. Navarre, FL.

Member(s) Involved: Davis, Blavin Carter; Gunn, Thomas Cecil Jr.; Sgt. Brinkman  
Deputies: Horn, Robinson and Pond

Complainant: David Rushing Date of Birth: 2/21/61

Address: 4007 Durbin Church Rd. Telephone #: (864) 862-0660 / (608) 4082  
Fountain Inn, SC. 29644 Cell #

Summary: Warrantless raid at Midnight led to unnecessary  
anxiety, emotional distress and endangerment to: Beverly Bredemeyer (70),  
Kyle Hurst ( ), Candy Hurst (47), Timothy Hurst ( ), Paul Hurst (19)  
after just suffering the loss of their precious grandson, son and  
brother Andrew Hurst who was just 16 years old!

I hereby swear and affirm that the above and all attached statements and/or documentation are true and correct to the best of my knowledge. I have fully read and understand the attached Florida State Statute § 112.533 regarding the Receipt and Processing of Complaints. Specifically, I acknowledge that until this investigation is completed, I am not to discuss my complaint with anyone other than the Deputy assigned to investigate my complaint or my legal representative.

Complainant's Signature: David Rushing

Sworn to and subscribed before me this  
15<sup>th</sup> day of March 2013.

[Signature]  
Person Authorized to Administer Oath

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Initials: DR

# Santa Rosa County Sheriff's Office

## ADMINISTRATIVE INVESTIGATIONS DIVISION CITIZEN COMPLAINT REPORT (Cont.)

Per Offense Report # SRSO13OFF001984 <sup>w/3 pages "redacted"</sup> a "Baker Act Raid" was performed at 2233 Ortega St. Navarre, FL at MIDNIGHT with Timothy Hurst as a target. Nowhere in the report does it state that Timothy Hurst suffers w/ Aspergers Syndrome. It is worth noting also that this "raid" took place 19 hrs after a "Death Notification" was performed at the same address and same S.O. about the death of Andrew Hurst (16).

The way Officer ( ) Blevin Carter Davis performs this raid is unwarranted (No warrant presented) and therefore illegal, when he "blocked the door" and ordered officers to "cover the backyard."

This action shows a total disregard for the <sup>sovereignty</sup> ~~sovereignty~~ of the home and the safety of all concerned not the least of those involving my mother, Beverly Bredemeyer, who was in the backyard investigating the cause of the pet's disturbance. The thought that armed officers who believed their lives were in danger could have hurt her is unacceptable and just the emotional distress caused her at a time when she is physically and emotionally drained is unbearable.

- Baker Act Exploitation Apology (sent to every Det/Supervisor)
- Bereavement Sensitivity Training (for all Detectives/Supervisors (Lt.))
- Aspergers Sensitivity Training ( " " " " )
- Formal Apology written/verbal

# Santa Rosa County Sheriff's Office

## 112.533 Receipt and processing of complaints.--

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- (2) (a) A complaint filed against a law enforcement deputy or detention deputy with a law enforcement agency or correctional agency and all information obtained pursuant to the investigation by the agency of such complaint shall be confidential and exempt from the provisions of s. 119.07(1) until the investigation ceases to be active, or until the agency head or the agency head's designee provides written notice to the deputy who is the subject of the complaint, either personally or by mail, that the agency has either:
  1. Concluded the investigation with a finding not to proceed with disciplinary action or to file charges; or
  2. Concluded the investigation with a finding to proceed with disciplinary action or to file charges.

Notwithstanding the foregoing provisions, the deputy who is the subject of the complaint may review the complaint and all statements regardless of form made by the complainant and witnesses immediately prior to the beginning of the investigative interview. If a witness to a complaint is incarcerated in a correctional facility and may be under the supervision of, or have contact with, the deputy under investigation, only the names and written statements of the complainant and no incarcerated witnesses may be reviewed by the deputy under investigation immediately prior to the beginning of the investigative interview.

- (a) This subsection does not apply to any public record which is exempt from public disclosure pursuant to F.S.S. 119.07(3). For the purposes of this subsection, an investigation shall be considered active as long as it is continuing with a reasonable, good faith anticipation that an administrative finding will be made in the foreseeable future. An investigation shall be presumed to be inactive if no finding is made within 45 days after the complaint is filed.
- (a) Notwithstanding other provisions of this section, the complaint and information shall be available to law enforcement agencies, correctional agencies, and state attorneys in the conduct of a lawful criminal investigation.
- (1) A law enforcement deputy or detention deputy has the right to review his or her official personnel file at any reasonable time under the supervision of the designated records custodian. A law enforcement deputy or detention deputy may attach to the file a concise statement in response to any items included in the file identified by the deputy as derogatory, and copies of such items must be made available to the deputy.

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# Santa Rosa County Sheriff's Office

- (2) Any person who is a participant in an internal investigation, including the complainant, the subject of the investigation, the investigator conducting the investigation, and any witnesses in the investigation, who willfully discloses any information obtained pursuant to the agency's investigation, including, but not limited to, the identity of the deputy under investigation, the nature of the questions asked, information revealed, or documents furnished in connection with a confidential internal investigation of an agency, before such complaint, document, action, or proceeding becomes a public record as provided in this section commits a misdemeanor of the first degree, punishable as provided in F.S.S. 775.082 or F.S.S. 775.083. However, this subsection does not limit a law enforcement or detention deputy's ability to gain access to information under paragraph (2)(a). Additionally, a sheriff, police chief, or other head of a law enforcement agency, or his or her designee, is not precluded by this section from acknowledging the existence of a complaint and the fact that an investigation is underway.

History.— F.S.S. 3, ch. 74-274; F.S.S. 3, ch. 82-156; F.S.S. 1, ch. 82-405; F.S.S. 1, ch. 83-136; F.S.S. 1, ch. 87-59; F.S.S. 2, ch. 89-223; F.S.S. 1, ch. 90-32; F.S.S. 31, ch. 90-360; F.S.S. 3, ch. 93-19; F.S.S. 722, ch. 95-147; F.S.S. 39, ch. 96-406; F.S.S. 2, ch. 98-249; F.S.S. 2, ch. 2000-184.

# Santa Rosa County Sheriff's Office



## Santa Rosa County Sheriff's Office

*Sheriff Wendell Hall*

### CITIZEN COMPLAINT REPORT

Nature of Complaint: Misconduct Date of Incident: 3-11-13

Location of Incident: Santa Rosa

Member(s) Involved: Tynes, Vincent, Haines, Baney

Complainant: Chad Rushing Date of Birth: 4-22-65

Address: 4007 Durbin Church Rd  
Fountain Inn SC 29644 Telephone #: (417) 294-3457

Summary: Officers Tynes, Vincent, Haines, Baney  
acted in a manner that incited and  
intentionally harassed citizens.

I hereby swear and affirm that the above and all attached statements and/or documentation are true and correct to the best of my knowledge. I have fully read and understand the attached Florida State Statute § 112.533 regarding the Receipt and Processing of Complaints. Specifically, I acknowledge that until this investigation is completed, I am not to discuss my complaint with anyone other than the Deputy assigned to investigate my complaint or my legal representative.

Complainant's Signature: Chad Rushing

Sworn to and subscribed before me this  
15th day of March 2013.

[Signature]  
Person Authorized to Administer Oath

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Initials: CR



# Santa Rosa County Sheriff's Office

## ADMINISTRATIVE INVESTIGATIONS DIVISION CITIZEN COMPLAINT REPORT (Cont.)

At Noon of March 11<sup>th</sup> 2013 I arrived at the Santa Rosa Sheriff's Department seeking a incident report and was referred to officer Haines. After Haines repeatedly misted and withheld said documents he became belligerent and confrontational. I attempted to restrain my brother and nephew but Haines was intent on creating a hostile environment. As video and Audio surveillance will show the officers trumped up charges in order to punish David L. Rushing and Paul Hurst. As an out of State Citizen I am appalled at the aggressive and unsympathetic manner of these officers. Including Haines being told repeatedly that David had ~~had~~ Knee/Leg issues and yet he (Haines) insisted on him sitting yet subsequently threw him (David) to the wall and violently bending and knocking him until he screamed in agony. Officers Tynes and Vincent were directly involved in this offense.

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# Santa Rosa County Sheriff's Office

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  1. Concluded the investigation with a finding not to proceed with disciplinary action or to file charges; or
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Notwithstanding the foregoing provisions, the deputy who is the subject of the complaint may review the complaint and all statements regardless of form made by the complainant and witnesses immediately prior to the beginning of the investigative interview. If a witness to a complaint is incarcerated in a correctional facility and may be under the supervision of, or have contact with, the deputy under investigation, only the names and written statements of the complainant and no incarcerated witnesses may be reviewed by the deputy under investigation immediately prior to the beginning of the investigative interview.

- (a) This subsection does not apply to any public record which is exempt from public disclosure pursuant to F.S.S. 119.07(3). For the purposes of this subsection, an investigation shall be considered active as long as it is continuing with a reasonable, good faith anticipation that an administrative finding will be made in the foreseeable future. An investigation shall be presumed to be inactive if no finding is made within 45 days after the complaint is filed.
  - (a) Notwithstanding other provisions of this section, the complaint and information shall be available to law enforcement agencies, correctional agencies, and state attorneys in the conduct of a lawful criminal investigation.
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Initials:



- (2) Any person who is a participant in an internal investigation, including the complainant, the subject of the investigation, the investigator conducting the investigation, and any witnesses in the investigation, who willfully discloses any information obtained pursuant to the agency's investigation, including, but not limited to, the identity of the deputy under investigation, the nature of the questions asked, information revealed, or documents furnished in connection with a confidential internal investigation of an agency, before such complaint, document, action, or proceeding becomes a public record as provided in this section commits a misdemeanor of the first degree, punishable as provided in F.S.S. 775.082 or F.S.S. 775.083. However, this subsection does not limit a law enforcement or detention deputy's ability to gain access to information under paragraph (2)(a). Additionally, a sheriff, police chief, or other head of a law enforcement agency, or his or her designee, is not precluded by this section from acknowledging the existence of a complaint and the fact that an investigation is underway.

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# Santa Rosa County Sheriff's Office



## Santa Rosa County Sheriff's Office

*Sheriff Wendell Hall*

### CITIZEN COMPLAINT REPORT

Nature of Complaint: Misconduct Date of Incident: 3-11-13

Location of Incident: Navarre Sheriff's Office

Member(s) Involved: Gunn, Ross

Complainant: Chad Rushing Date of Birth: 4-22-65

Address: 4007 Durbin Church Rd  
Fountain Inn SC 29644 Telephone #: (417) 294-3457

Summary: After arriving at the sheriff's office officer  
Ross arrived along with officer Gunn. Both  
officers were rude and belligerent. Officer Gunn  
also went out of his way to inconvenience  
and lied repeatedly.

I hereby swear and affirm that the above and all attached statements and/or documentation are true and correct to the best of my knowledge. I have fully read and understand the attached Florida State Statute § 112.533 regarding the Receipt and Processing of Complaints. Specifically, I acknowledge that until this investigation is completed, I am not to discuss my complaint with anyone other than the Deputy assigned to investigate my complaint or my legal representative.

Complainant's Signature: \_\_\_\_\_

Sworn to and subscribed before me this  
15th day of March 2013.

  
Person Authorized to Administer Oath

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# Santa Rosa County Sheriff's Office

## ADMINISTRATIVE INVESTIGATIONS DIVISION CITIZEN COMPLAINT REPORT (Cont.)

Officer Ross told officer Gunn while trying to diffuse the situation "This family is all trouble". I had never met officer Ross before and had shown nothing but respect until she said this. I feel that her tone and disrespect were both hostile and inflammatory. Any person entrusted to a position of Authority shouldn't be inciting violence. Officer Gunn was behaving in a offensive and belligerent manner by both tone and consistently lying about having sent a release to H.Q. of an incident report to multiple persons. After arriving at Santa Rosa H.Q. I had to wait hours for documents Gunn had repeatedly assured me would be ready "As soon as you get to Santa Rosa they will be released". As a result of this action Gunn helped to facilitate a negative reaction by citizens he is paid to serve.

# Santa Rosa County Sheriff's Office

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# Santa Rosa County Sheriff's Office



Santa Rosa County Sheriff's Office

Sheriff Wendell Hall

## CITIZEN COMPLAINT REPORT

Nature of Complaint: False Arrest Date of Incident: 3/15/13 @ 12:15 pm

Location of Incident: Santa Rosa

Member(s) Involved: Sgt. Scott Haines, Det. Gary L. Baney, Lt. Thomas Cecil Gunn Jr., Officer Ross

Complainant: David Rushing Date of Birth: 2/21/61

Address: 4007 Durbin Church Rd. Telephone #: (864) 862-0660 / 608-4082  
Fountain Inn, SC 29644 cell #

Summary: While attempting to get answers as to why my mother's  
life was endangered at a warrantless raid at 2233 Ortega St. Naverre, Fl.  
19 hours after the death of my 16 year old nephew Andrew Hurst,  
my 19 year old nephew Paul Hurst and myself was horribly mistreated,  
lied to and finally falsely arrested by members of the Santa Rosa County Sheriff's Office

I hereby swear and affirm that the above and all attached statements and/or documentation are true and correct to the best of my knowledge. I have fully read and understand the attached Florida State Statute § 112.533 regarding the Receipt and Processing of Complaints. Specifically, I acknowledge that until this investigation is completed, I am not to discuss my complaint with anyone other than the Deputy assigned to investigate my complaint or my legal representative.

Complainant's Signature: David Rushing

Sworn to and subscribed before me this  
15th day of March 2013.

[Signature]  
Person Authorized to Administer Oath

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Initials: DR



# Santa Rosa County Sheriff's Office

## ADMINISTRATIVE INVESTIGATIONS DIVISION CITIZEN COMPLAINT REPORT (Cont.)

On 3/11/13 at about 10:30am my brother Chad Rusking, my nephew Paul Hurst and I went to the Noverre office of the sheriff in order to get answers as to why, at a time of enormous grief due to the death of 16 year old Andrew Hurst, just 19 hours after his death notification that a "warrantless raid" was performed at MIDNIGHT! When we arrived we asked to speak with whoever was in charge and was finally told that Lt. Gunn would be the one to talk to. During our wait we had to endure verbal abuse and posturing by officer Ross. When Lt. Gunn arrived with his hand on his gun and an obvious "chip on his shoulder" we spent one minute asking about getting the police report concerning the "raid" to which we were told it hadn't been "approved for release" as though that should have been the end of the conversation, then I asked who would be the one to "approve" it and Gunn said "I am" as though that should be the end of our talk again, then I asked when and where we would have to go to get the report and was told the "County Office" and was assured that it would be released by the time we got there!

When we arrived at the Santa Rosa County Sheriff's Office we were immediately questioned by two plain clothes officers about our purpose for being there. (cont.)

- Inmate Processing Issues (Signing Blank Forms, Signing Forms w/o Knowledge of content)
- Inmate Sensitivity Training

# Santa Rosa County Sheriff's Office

## ADMINISTRATIVE INVESTIGATIONS DIVISION CITIZEN COMPLAINT REPORT (Cont.)

There was an assumption made that we were there ~~for~~ about a shooting involving a "Chet Wright" and we were told it was an open investigation so no report would be available we told them we were not there about that but about a "police raid" to which they said they would have to call "Navarre" to get some number in order to retrieve it in the "records department." I was told to sign in to get a "visitors badge" to allow me access to get in "records" to sign the report out. We were directed to some seats and were told to wait while they went to see if the report could be located. Not long after that I see the officer that went to "check on the report" talking to who I now know to be Sgt Haines beyond some glass access doors. After a minute or two they walk away and some minutes later they approach with the report in hand telling us that while they had the report it had not been "approved for release." When I informed them that we were assured by Lt. Gonn that it would be "ready by the time we get there (SRSEO)" he seemed at a loss and I asked to see his superior and to get some "complaint forms" to which he responded the sheriff was at lunch and the person who issued the complaint forms was otherwise indisposed, I said I would wait for them to arrive since we would obviously have to wait some time before the "raid report" would be ready. His demeanor seemed to shift and his tone became offensive when I questioned some aspect of his information. I then said something about the

# Santa Rosa County Sheriff's Office



## Santa Rosa County Sheriff's Office *Sheriff Wendell Hall*

### CITIZEN COMPLAINT REPORT

Nature of Complaint: \_\_\_\_\_ Date of Incident: \_\_\_\_\_

Location of Incident: \_\_\_\_\_

Member(s) Involved: \_\_\_\_\_

Complainant: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Address: \_\_\_\_\_ Telephone #: \_\_\_\_\_

Summary: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I hereby swear and affirm that the above and all attached statements and/or documentation are true and correct to the best of my knowledge. I have fully read and understand the attached Florida State Statute § 112.533 regarding the Receipt and Processing of Complaints. Specifically, I acknowledge that until this investigation is completed, I am not to discuss my complaint with anyone other than the Deputy assigned to investigate my complaint or my legal representative.

Complainant's Signature: \_\_\_\_\_

Sworn to and subscribed before me this  
\_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
Person Authorized to Administer Oath

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# Santa Rosa County Sheriff's Office

## ADMINISTRATIVE INVESTIGATIONS DIVISION CITIZEN COMPLAINT REPORT (Cont.)

media and what they would think about this poor treatment of citizens who have just suffered a traumatic loss of a young loved one and the added indignity of a "warrantless raid" at midnight the same day! To which Haines said he would give me the number to channel 3 but to be sure and say it is concerning Sgt Haines and I would see how they would treat ~~my~~ <sup>your</sup> call" and when I asked for the number he said it real quick and I had to ask again but because I am out of town the call didn't go through so I had to explain that to Haines and he suddenly seemed agitated and reluctant to give me the area code for the area so I had to ask Paul for the area code and when I had it entered into my phone I turned back to Haines and asked for the number again and because of Haines' reluctance and attitude Paul Hurst's grief and frustration finally led to an emotional outburst which Haines reacted to by escalating the situation even further by demanding that Paul leave the building. While my brother, Chad Rushing, and I were escorting Paul out, some non-verbal and non-physical communication took place, which caused Haines to shout "you're under arrest" and while I was trying to express my disbelief and disappointment in his actions, hoping he would somehow see what he was doing was wrong, he ordered me out





# Santa Rosa County Sheriff's Office

## ADMINISTRATIVE INVESTIGATIONS DIVISION CITIZEN COMPLAINT REPORT (Cont.)

of the building also. After I exited the inner-most doors and seeing that it was still raining and that I believed I was more than sufficiently isolated I paused there to answer my cell phone when Paul Hurst's father, Kyle Hurst, called after he became concerned about how long we had been gone. While I was on the phone, about 6 feet from the inner door, Haines opened them and interrupted my conversation to say he needed the "visitors badge." So while I was holding the phone, trying to carry on a conversation and attempting to maintain my distance from the entrance as I was instructed, I removed the badge and since Haines made no attempt to get any closer to me I tossed the badge with its lanyard to him and when he made no attempt to catch it, the badge bounced off his stomach and landed on the ground. Haines immediately shouted "You are under arrest" and knowing that I had a medical reason for not sitting (another cause for Paul's outburst, when Haines ordered me to sit), and telling the officers about my knee replacement again I was struck several times on my right leg both at the time of arrest and subsequent "fiskings" prior to being man-handled into a "holding cell." Over seven hours later after suffering further humiliation by having my fingerprints, "mug shot" and DNA taken I was released and found out I was charged

# Santa Rosa County Sheriff's Office

## ADMINISTRATIVE INVESTIGATIONS DIVISION CITIZEN COMPLAINT REPORT (Cont.)

with FELONY Battery on a Law Enforcement Officer and Paul Hurst was charged with Resisting an officer without violence and Breach of Peace. These charges reveal the totally unprofessional way this matter was handled and the lack of compassion as human beings that the officers exhibited in this incident. The reason for this whole debacle, the "warrantless raid" police report, was not available for several hours after the arrests were made which is another example of the kind of "second class" treatment we have endured since the death of our loved one.

There are several discrepancies with the "Arrest Report - SRSO13ARR001523" that I am sure the audio and video recordings, that we were told have been set aside as evidence, will show.

The most remarkable discrepancies are:

- 1) Haines' claim that he and two other officers "went up front to assist" because we made Diane Dunlap "uncomfortable" - This is false
- 2) The reason for Paul Hurst's outburst seem to be blamed on the report not being ready for release, while there was some incredulity about this, it wasn't until Haines' reaction to my statement about media involvement
- 3) There is No "Paul Rushing" involved in this incident

# Santa Rosa County Sheriff's Office

## ADMINISTRATIVE INVESTIGATIONS DIVISION CITIZEN COMPLAINT REPORT (Cont.)

I would like it to be known that there are no histories of police involvement ~~unless you count the~~ in my family unless you count the arrest of my little sister when Santa Rosa officers overreacted to Kyle Hurst's claim of battery.

I served in the U.S. Navy and was honorably discharged after 6 years as an E-6 and have a Commercial Drivers License with hazmat endorsement which this charge can affect.

I Pray that cooler heads will prevail and this matter can be resolved in a satisfactory manner.